

Docket No.: 1509.1035

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hideo SHIMADA

Serial No. 10/627,869

Group Art Unit: 2839

Confirmation No. 3650

Filed: July 28, 2003

Examiner: C. Prasad

SOCKET FOR ELECTRICAL PARTS HAVING SPACER (As Amended)

## REQUEST FOR WITHDRAWAL OF FINALITY OF OFFICE ACTION

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

A final Office Action issued on August 26, 2004, with respect to the above identified application. As discussed with the Examiner via telephone on September 10, 2004 and September 28, 2004, the finality of the Action is not proper according to MPEP 706.07(b). The Examiner agreed, as indicated on the attached Interview Summary which was sent to the Applicant.

Accordingly, Applicant hereby requests a formal communication from the Examiner withdrawing the finality of the Office Action.

Please contact the undersigned if there are any further questions.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 9-29-04

Michael J. Badagliacca Registration No. 39,099

1201 New York Avenue, NW, Suite 700

Washington, D.C. 20005 Telephone: (202) 434-1500 Facsimile: (202) 434-1501

Art Unit

Examiner

Chandrika Prasad 2839 All participants (applicant, applicant's representative, PTO personnel): (1) Chandrika Prasad. (3)\_\_\_\_. (2) Mike Badacıliacca. Date of Interview: 28 September 2004. Type: a) ☐ Telephonic b) ☐ Video Conference c) Personal [copy given to: 1) applicant 2) applicant's representative Exhibit shown or demonstration conducted: d) Yes e) No. If Yes, brief description: \_\_\_\_. Claim(s) discussed: Identification of prior art discussed: Agreement with respect to the claims f) was reached. g) was not reached. h) N/A. Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant explained that finality of last office action mailed 8/26/04 was improper. The examiner concurs and will withdraw the finality in the next officeaction.

allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW, See Summary of Record of Interview requirements on reverse side or on attached sheet,

# JEST AVAILABLE COPY

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

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# AMENDMENT AFTER FINAL EXPEDITED PROCEDURE FOR (10/03)

REPLY/AMENDMENT FEE TRANSMITTAL  Application Number   10/627,869   Filling Date   July 28, 2003   First Named   Iniventor   Group Art Unit   2839   AMOUNT ENCLOSED   0.00   Examiner Name   Chandrika Prasad    FEE CALCULATION (fees effective 10/01/03)  CLAIMS AS   Claims Remaining   Prighest Number   Number   Rate   Calculations   MRENDED   After Amendment   Prighest Number   Number   Rate   Calculations   TOTAL CLAIMS   12   20 = 0   X \$ 18.00 = \$ 0.00   INDEPENDENT   3   3 = 0   X \$ 88.00 = 0.00   Since an Official Action set an original due date of November 26, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4   If Notice of Appeal is enclosed, add (\$330.00)  If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00) Information Disclosure Statement (Rule 1.17(p)) (\$180.00)  Total of above Calculations =   \$ 0.00  Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)  TOTAL FEES DUE =   \$ 0.00  WETHOD OF PAYMENT   \$ 0.00  METHOD OF PAYMENT   \$ 0.00  METHOD OF PAYMENT   \$ 0.00  WETHOD OF PAYMENT   \$ 0.00  WETHOD OF PAYMENT   \$ 0.00  WETHOD OF PAYMENT   \$ 0.00  The above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:  Deposit Account Name   \$ 1.33(d) to maintain pendency place for pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPAs under 37 CFR 1.53(b) and/or continuations/di				Attorney Docket No.		1509.1035					
FEE TRANSMITTAL    Filing Date				Application Number		10/627,869					
First Named Inventor Group Art Unit Z839  AMOUNT ENCLOSED  0.00 Examiner Name Chandrika Prasad  FEE CALCULATION (fees effective 10/01/03)  CLAIMS AS After Amendment Previously Paid For Extra Rate Calculations TOTAL CLAIMS 12 2 2 0 0 X\$ 18.00 = \$0.00  NDEPENDENT 3 - 3 = 0 X\$ 88.00 = 0.00  Since an Official Action set an original due date of November 26, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4  If Notice of Appeal is enclosed, add (\$330.00)  If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)  Information Disclosure Statement (Rule 1.17(p)) (\$180.00)  Total of above Calculations = \$0.00  Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)  TOTAL FEES DUE = \$0.00  If entry (2) sizes than activity, (3) to "7.  (2) if entry (3) is test than 3.2 change entry (5) to "57.  METHOD OF PAYMENT  Check enclosed as payment.  Charge "TOTAL FEES DUE" to the Deposit Account No. below.  No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).  GENERAL AUTHORIZATION  If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:  Deposit Account Name  STAAS & HALSEY LLP  The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.55(b) and/or continuations/di				Filing Date		July 28, 2003					
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(1) If entry (1) is less than entry (2), entry (3) is "0".  (2) If entry (2) is less than entry (2), entry (3) is "0".  (3) If entry (4) is less than entry (5), entry (6) is "0".  (5) If entry (6) is less than 3, change entry (5) to "3".  METHOD OF PAYMENT  Check enclosed as payment.  Charge "TOTAL FEES DUE" to the Deposit Account No. below.  No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).  GENERAL AUTHORIZATION  If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:  Deposit Account No.  Deposit Account Name  STAAS & HALSEY LLP  The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.  SUBMITTED BY: STAAS & HALSEY LLP  Typed Name  Michael J. Badagliacca  Reg. No. 39,099											
(2) If entry (2) is less than 20, change entry (2) to "20".  (4) If entry (4) is less than entry (5), entry (6) is "0".  (5) If entry (5) is less than entry (5), entry (6) is "0".  (6) If entry (5) is less than 3, change entry (5) to "3".  METHOD OF PAYMENT  Check enclosed as payment.  Charge "TOTAL FEES DUE" to the Deposit Account No. below.  No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).  GENERAL AUTHORIZATION  If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:  Deposit Account No.  Deposit Account Name  STAAS & HALSEY LLP  The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b)) and/or continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CIPs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.  SUBMITTED BY: STAAS & HALSEY LLP  Typed Name  Michael J. Badagliaca  Reg. No. 39,099									\$	0.00	
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